

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JANE DOE K.B. : CIVIL ACTION
: :
v. : No. 23-3900
: :
SOUTHEASTERN PENNSYLVANIA :
TRANSPORTATION AUTHORITY, :
et al. : :

ORDER

AND NOW, this 4th day of June, 2024, upon consideration of the SEPTA Defendants' motion to Dismiss Plaintiff's Complaint in Part Pursuant to Federal Rule of Civil Procedure 12(b)(6), Plaintiff Jane Doe K.B.'s response in opposition thereto, and the SEPTA Defendants' reply, and for the reasons stated in the accompanying Memorandum, it is ORDERED:

- The SEPTA Defendants' Motion to Dismiss Plaintiff's Complaint in Part (ECF No. 8) is GRANTED without prejudice as to Counts I, II, IV, and VI;
- The Motion is GRANTED as uncontested as to Count V.

It is FURTHERED ORDERED Plaintiff Jane Doe K.B. may file an Amended Complaint on or before July 4, 2024. If K.B. does not wish to amend her Complaint and instead intends to stand on her Complaint as originally pled, she may file a notice with the Court on or before July 4, 2024 stating that intent, at which time the Court will issue a final order dismissing Counts I, II, IV, V, and VI with prejudice and remanding this case to the Court of Common Pleas of Philadelphia County pursuant to 28 U.S.C. § 1367(c). If K.B. fails to file any response to this Order, the Court will conclude that she intends to stand on her Complaint and will issue a final order as described above.

BY THE COURT:

/s/ Juan R. Sánchez
Juan R. Sánchez, J.